

KENNETH E. KELLER (SBN: 71450) kkeller@kksrr.com
MICHAEL D. LISI (SBN 196974) mlisi@kksrr.com
KRIEG, KELLER, SLOAN, REILLEY & ROMAN LLP
114 Sansome Street, 4th Floor
San Francisco, CA 94104
Telephone: (415) 249-8330
Facsimile: (415) 249-8333

STEVEN POKOLITOW (*Pro Hac Vice pending*) spokolitow@stroock.com
CHARLES E. CANTINE (*Pro Hac Vice pending*) ccantine@stroock.com
STROOCK & STROOCK & LAVAN LLP
180 Maiden Lane
New York, New York 10038
Telephone: (212) 806-5400
Facsimile: (212) 806-6006

Attorneys for Defendant PANOPTX, INC.

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

PROTECTIVE OPTICS, INC., a California
corporation,

Plaintiff,

v.

PANOPTX, INC., a California corporation,

Defendants.

Case No.: C05-02732 CRB

**STIPULATION AND ~~PROPOSED~~
ORDER PERMITTING TELEPHONIC
APPEARANCE AT FEBRUARY 17, 2006
CASE MANAGEMENT CONFERENCE**

Pursuant to Civil Local Rule 7-12, plaintiff Protective Optics, Inc. ("Protective Optics") and defendant Panoptx, Inc. ("Panoptx") stipulate as follows and respectfully request that the Court enter the following Proposed Order:

WHEREAS the Case Management Conference in this matter is set for February 17, 2006 at 8:30 a.m.;

WHEREAS counsel for Panoptx, Stroock & Stroock & Lavan LLP ("Stroock"), are located in New York, New York;

WHEREAS and Steven Pokolitow and Charles Cantine of Stroock would like to appear at the Case Management Conference without incurring the time and expense of traveling from New York to California for such appearance;

WHEREAS local counsel for Panoptx, Krieg, Keller, Sloan, Reilley & Roman LLP, will appear in person at the Case Management Conference;

WHEREAS plaintiff Protective Optics has no objection to counsel for Panoptx appearing telephonically at the Case Management Conference;

IT IS HEREBY STIPULATED AND AGREED THAT, subject to Court approval, Steven Pokolitow and Charles Cantine of Stroock & Stroock & Lavan may appear telephonically at the February 17, 2006 Case Management Conference. The Court may initiate the telephonic appearance by calling (212) 806-6288. Counsel will be available at that number from 8:15 a.m. PST until the matter is called and the Case Management Conference is completed.

Dated: February 10, 2006

KRIEG, KELLER, SLOAN, REILLEY & ROMAN LLP

By: _____/s/

Kenneth E. Keller
Attorneys for Defendant PANOPTX, INC.

1 Dated: February 10, 2006

FOLEY & LARDNER LLP

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4 By:

Debra D. Nye

Debra D. Nye, CA Bar No. 226076

dnve@foley.com

FOLEY & LARDNER LLP

1530 Page Mill Road

Palo Alto, CA 94304-1125

Telephone: (650) 856-3700

Facsimile: (650) 856-3710

Attorneys for Plaintiff Protective Optics, Inc.

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12 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

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14 Dated: February 13, 2006

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17 Hon. Charles R. Breyer
United States District Court

